

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**DANIEL DOYLE,**

**Plaintiff,**

**vs.**

**UFLEX USA, INC.,**

**Defendant.**

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**8:06CV683**

**ORDER**

This matter is before the magistrate judge by consent of the parties. After numerous extensions were granted, the court ordered that the depositions of plaintiff's expert witnesses must be completed no later than April 4, 2008. On April 4, 2008, however, the plaintiff requested another 30-day extension due to counsel's trial schedule which, it is argued, made it impossible for counsel to comply with the April 4 deadline. Other than understandable frustration, the defendant has not shown that it will be unfairly prejudiced on the merits of the case if the schedule is once again extended. Upon review of the parties' submissions on this issue (Filings 82, 83, 84, 85 & 86), the court concludes that a final extension of time must be granted, in the interest of justice.

**IT IS ORDERED:**

1. Defendant's Motion to Exclude plaintiff from introducing expert testimony [83] is denied.
2. Plaintiff's Motion for Enlargement of Time [82] is granted. Plaintiff is granted a **final** extension of time, until and including **May 15, 2008**, in which to complete the depositions of plaintiff's expert witnesses. If plaintiff fails to comply with this deadline, the plaintiff will be prohibited from introducing any testimony from any expert witness who has not been made available for deposition, unless defense counsel agrees otherwise.
3. Counsel shall contact chambers to schedule a telephone conference if any other modifications to the progression order are necessary or requested.

**DATED May 2, 2008.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**